

Declaration and Power of Attorney for Patent Application

As a below named inventor(s), I/We hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

the specification of which (check one)

is attached hereto.

was filed on _____ as

Application Serial No. _____

and was amended on _____ (if applicable).

was filed on 01 October 1997 as

PCT International Application Serial No. PCT/EP97/05393

and was amended under PCT Article 19 on 13 January 1999 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

96 115 874.8
(Number)

EP
(Country)

03 October 1996
(Day/Month/Year Filed)

Yes No

97 100 584.8
(Number)

EP
(Country)

16 January 1997
(Day/Month/Year Filed)

Yes No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

(Application No.)	(Filing Date)	(Application No.)	(Filing Date)
(Application No.)	(Filing Date)	(Application No.)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

PCT/EP97/05393 (Application Serial No.)	01 October 1997 (Filing Date)	Pending (Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(List name and registration number)*

³
Douglas A. Petry, Ph.D. (Reg. No. 35321) Dennis P. Tramaloni (Reg. No. 28542)
Joseph P. Kirk, Jr. (Reg. No. 36844)

Send Correspondence to: Douglas A. Petry, Ph.D.
Roche Molecular Systems
1145 Atlantic Avenue
Alameda, CA 94501

Direct Telephone Calls Douglas A. Petry, Ph.D.
to: (510) 814-2974

Waltraud ANKENBAUER

Full name of sole or first inventor

Waltraud Ankenauer

Inventor's signature

12.4.99

Date

Residence

Oberanger 18

D-82377 Penzberg

D94

Citizenship

German

Post Office Address

Oberanger 18

D-82377 Penzberg

Vitaly SVETLICHNY

Full name of second joint inventor, if any

Vitaly Svetlichny

Second Inventor's signature

Date

Residence

Warmensteinacher Str. 91G

D-95448 Bayreuth

Ruf

Citizenship

Russian

Post Office Address

Warmensteinacher Str. 91G

D-95448 Bayreuth

Waltraud ANKENBAUER

Full name of sole or first inventor

Inventor's signature

Date

Residence

Oberanger 18

D-82377 Penzberg

Citizenship

German

Post Office Address

Oberanger 18

D-82377 Penzberg

Vitaly SVETLICHNY

Full name of second joint inventor, if any

Vitaly Svetlichny

Second Inventor's signature

29th of March, 1999

Date

Residence

Warmensteinacher Str. 91G

D-95448 Bayreuth

Citizenship

Russian

Post Office Address

Warmensteinacher Str. 91G

D-95448 Bayreuth

Elizaveta BONCH-OSMOLOVSKAYA

Full name of third joint inventor, if any

Elizaveta Bonch-Osmolovskaya
Third Inventor's signature

April 8, 1999

Date

Residence

Lomonosovski Avenue 33-2-60
Moscow, 117192 RUSSIA

Ruf

Citizenship

Russian

Post Office Address

Lomonosovski Avenue 33-2-60
Moscow, 117192 RUSSIA

Christine EBENBICHLER

Full name of fourth joint inventor, if any

Christine Ebenthaler
Fourth Inventor's signature

Date

Residence

Dorfstr. 5
D-82387 Antdorf

Denf

Citizenship

German

Post Office Address

Dorfstr. 5
D-82387 Antdorf

Elizaveta BONCH-OSMOLOVSKAYA

Full name of third joint inventor, if any

Third Inventor's signature

Date

Residence

Lomonosovski Avenue 33-2-60
Moscow, 117192 RUSSIA

Citizenship

Russian

Post Office Address

Lomonosovski Avenue 33-2-60
Moscow, 117192 RUSSIA

Christine EBENBICHLER

Full name of fourth joint inventor, if any

Christine Ebenthaler

Fourth Inventor's signature

06.04.1999

Date

Residence

Dorfstr. 5
D-82387 Antdorf 

Citizenship

German

Post Office Address

Dorfstr. 5
D-82387 Antdorf

Bernhard ANGERER

Full name of fifth joint inventor, if any

Bernhard Angerer

Fifth Inventor's signature

29. 03. 1999

Date

Residence

Schützenstr. 20

D-83024 Rosenheim

Darf

Citizenship

German

Post Office Address

Schützenstr. 20

D-83024 Rosenheim

Gudrun SCHMITZ-AGHEGUIAN

Full name of sixth joint inventor, if any

Gudrun Schmitz-Agheguian

Sixth Inventor's signature

26. 03. 1999

Date

Residence

Wettersteinstr. 3

D-82347 Bernried

Darf

Citizenship

German

Post Office Address

Wettersteinstr. 3

D-82347 Bernried

Frank LAUE

Full name of seventh joint inventor, if any


Seventh Inventor's signature


Date

Residence

Bachaecker 11
D-82396 Paehl-Fischen 

Citizenship

German

Post Office Address

Bachaecker 11
D-82396 Paehl-Fischen

Title 37, Code of Federal Regulations, §1.56, duty to disclose information material to patentability provides, in part, that each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned.

Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.